

A SUMMARY OF EMERGENCY RELIEF (ER) PROCEDURES FOR FEDERAL-AID HIGHWAYS

1. Purpose of This Document -

- To provide brief step-by-step procedures to follow in repairing damage to Federal-aid highways (public highways other than those functionally classified as local roads or rural minor collectors) resulting from a major catastrophe or natural disaster.
- Funding for repairing damage to local roads or rural minor collectors could be available from the Federal Emergency Management Agency (FEMA). (See section 4.a.iii – “Damage on Roads Other Than Federal-Aid Highways” for more information.)
- If you desire more information, please contact your IDOT District Office.

2. Eligibility -

- A Gubernatorial proclamation declaring a disaster is needed for eligibility. A Presidential declaration or a Gubernatorial request for one can also serve the same purpose.
- Also required is a subsequent finding by the Federal Highway Administration (FHWA) that a natural disaster or catastrophic failure occurred and that the damage is eligible for ER assistance.

3. Procedure –

Eligible work is divided into 2 categories, emergency repairs and permanent repairs. **Permanent repairs require prior FHWA project authorization.** (See section 4 - “Further Details” for more information.)

- a. **Step 1 - Perform Emergency Repairs** – Emergency repairs may begin immediately following a disaster and should be completed as soon as possible. Prior approval is not required. Properly documented costs will later be reimbursed once the FHWA makes a finding that the disaster is eligible for ER funding. (If there is a question as to whether or not a specific repair qualifies as an emergency repair rather than a permanent repair, discuss this during the field inspection or contact your IDOT District Office before beginning work.)
 - i. Emergency Repairs have 3 functions.
 - (1) Restore essential traffic.
 - (2) Minimize the extent of damage.
 - (3) Protect the remaining facilities.
 - ii. Document damage and work performed.
 - (1) When possible, take photographs of damage before beginning repairs.
 - (2) Keep record of equipment, labor, and material expenses by location.
 - iii. Local agencies will be reimbursed for emergency repair work after ER program approval and submittal of joint agreements and documentation of costs.
- b. **Step 2 - Assess Damage For ER Program Approval**
 - i. Submit a list of damage locations to your IDOT District Office with a brief description of the damage and a preliminary estimate of the repair cost.
 - ii. Prepare for field inspections by FHWA and IDOT personnel by summarizing the following for each damage location:
 - (1) Actual costs for emergency repair work already completed. (Use documentation developed in Section 3.a.ii.)
 - (2) Cost estimates for the emergency repair work remaining to be done.
 - (3) Cost estimates for permanent repairs.
 - iii. FHWA will inspect sample damage locations along with local and IDOT personnel to verify extent of damage and complete the Detailed Damage Inspection Reports (DDIRs). At that time, the completed DDIRs will be signed by the local, IDOT and FHWA representatives and retained by FHWA. Copies will be provided to IDOT and local agencies.

- iv. If a betterment is proposed, discuss it during the field inspection or contact your IDOT District Office.

c. Step 3 – Perform Permanent Repairs -

- i. Begin preliminary engineering for permanent repairs as soon as possible. Preliminary engineering can begin prior to FHWA project authorization. Reimbursement is subject to approval of ER funds for the damage location.
- ii. Permanent repair projects must follow normal Federal-aid procedures including the following:
 - (1) Engineering and joint agreements must be approved by IDOT.
 - (2) Any necessary environmental review must be completed.
 - (3) Any necessary ROW must be acquired in accordance with Titles 2 and 3.
 - (4) The PS&E must be approved by IDOT and the work must be authorized by FHWA prior to beginning work.
- iii. During preliminary engineering for permanent repairs, if there is a change in scope or significant increase in cost, contact the IDOT District Office.
- iv. If permanent repairs cannot wait for funding approval, contact your IDOT District Office.
- v. Reimbursement will follow normal Federal-aid procedures.

4. FURTHER DETAILS (Page numbers refer to the FHWA Emergency Relief Manual, September 1998)

a. ELIGIBILITY -

- i. **GENERAL** - Basic eligibility criteria are as follows:
 - (1) A formal proclamation of the existence of a disaster must be made by the Governor.
 - (2) There must be at least \$700,000 of eligible damage in the state (this threshold amount was increased on June 1, 2000)
 - (3) Damage must be on a Federal-aid highway (pp. 1 & 3).
 - (4) Damage must require work that is beyond "heavy maintenance" (beyond work frequently performed by the applicant's maintenance crews) (pp. 3 & 13).
 - (5) Only sites with damage repair estimated to cost \$5,000 or more may be eligible (pp. 3 & 14).
 - (6) Damage must have occurred as a direct result of the disaster (p. 3).
- ii. **BASED ON A FAVORABLE FINDING BY THE FHWA** - The eligibility of repair work for ER funds will be contingent upon a favorable finding by the Federal Highway Administration on the eligibility of the disaster. (pp. 2 & 16).
- iii. **DAMAGE ON ROADS OTHER THAN FEDERAL-AID HIGHWAYS** - The Emergency Relief Manual covers only those criteria and procedures applicable to the ER program for Federal-aid highways, these being public highways other than those functionally classified as local roads or rural minor collectors. Procedures relating to the ER program for roads on Federal lands that are not Federal-aid highways are outlined in the Emergency Relief for Federally Owned Roads Disaster Assistance Manual, Publication Number FHWA-FL-90-008. Copies of this manual can be obtained from the Federal Lands Highway Office, HFL-13, 400 Seventh Street SW, Washington DC 20590. Damage to highway facilities that are neither Federal-aid highways nor roads on Federal lands may be eligible for other Federal funds authorized by the Stafford Act, P. L. 93-288, and administered by FEMA in cooperation with the Illinois Emergency Management Agency (IEMA). The FEMA publication, Public Assistance Guide, October 1999, presents a brief overview of their programs. Copies of this guide may be obtained from the FEMA, RR-IS-EN, 500 C Street SW, Washington DC 20472. It is also available electronically at FEMA's web site (<http://www.fema.gov/r-n-r/pa/paguided.htm>).

b. EMERGENCY REPAIRS VS. PERMANENT REPAIRS -

- i. Emergency repair work includes repairs and protective measures taken during, or immediately following, the occurrence of a disaster to restore essential traffic, to minimize the extent of damage or to protect the remaining facilities. The remainder of the work to restore the highway to its predisaster condition would be considered permanent repairs (pp. 16 - 20).
- ii. Eligible emergency repairs accomplished in the first 180 days after the disaster occurs may be reimbursed with 100% Federal funds. After 180 days emergency work will be reimbursed at the normal Federal-aid percentages. Eligible permanent repairs may be reimbursed with Federal

- iii. funds at the normal Federal-aid percentages (pp. 3 & 17).
If there is a question between emergency repairs and permanent repairs, contact the IDOT District Office.
- c. **BETTERMENTS** - A betterment is defined as any additional feature, upgrading, or change in capacity or character of the facility from its predisaster condition. Betterments are generally not eligible for ER funding unless justified on the basis of economy, suitability, and engineering feasibility and reasonable assurance of preventing future similar damage. Any proposed betterments must be properly justified (pp. 20-24).
- d. **REPAIR COST INFORMATION** - Estimated repair costs as well as costs for work already done should be provided to the FHWA and IDOT inspectors upon arrival so that DDIRs can be completed and signed during the field inspection. Reimbursement will be for actual repair costs determined later.
- e. **ENGINEERING** -
 - i. Preliminary engineering for permanent repairs may begin without prior approval.
 - ii. If the engineering is to be performed by a consultant, then an engineering agreement approved by IDOT is needed.
 - iii. Construction engineering procedures are the same as for other Federal-aid projects.
- f. **ENVIRONMENTAL REQUIREMENTS** -
 - i. Emergency repairs have been predetermined to be categorical exclusions but may require further environmental coordination.
 - ii. Permanent repairs are subject to the same environmental processing as other similar Federal-aid projects.
- g. **PHOTOGRAPHS** - Photographs of damage should be taken at each site as soon as possible after the disaster. Photographs will be very helpful in determining eligibility, especially if the emergency repair work is done before FHWA and IDOT inspectors arrive.
- h. **APPROVAL TIME** - Approval to proceed with permanent repairs may take up to 6 months.
- i. **COPIES OF MANUALS** - Copies of the Emergency Relief Manual, A Guide to the Federal-aid Highway Emergency Relief Program and the FHWA Emergency Relief Program Training Video (also available on CD-ROM) may be obtained through IDOT by contacting the IDOT Local Roads Senior Project Development Engineer at 217/782-0127. The Emergency Relief Manual is available in electronic form at FHWA's Emergency Relief web site (<http://www.fhwa.dot.gov/infrastructure/progadmin/erelief.html>).
- j. **FOR MORE DETAILS** - For more detailed requirements, please refer to the FHWA Emergency Relief Manual, September 1998.